

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 58 through 73, 78, and 83 are pending, with Claims 58, 63, and 68 being independent. Claims 58, 63, 68, 69, 71, 73, 78, and 83 have been amended.

Claim 58 was objected to on the grounds that “the client” should read --a client-- at line 3, and Claims 58 through 73, 73, and 83 were rejected under 35 U.S.C. § 112, 2nd paragraph, as being indefinite on the grounds that “it is not clear how the control unit controls the video camera in accordance with each of the predetermined plurality of commands without the predetermined plurality of commands”. All objections and rejections are respectfully traversed, and are submitted to have been obviated by the amendment of the claims in a manner earnestly believed to avoid the grounds of objection and rejection.

Claims 58 through 73, 78, and 83 were rejected under the judicially-created doctrine of non-statutory obviousness-type double patenting over Claims 1, 2, and 5 through 16 of parent U.S. Patent No. 6,611,285 B1 in view of U.S. Patent No. 5,598,209 (Cortjens, et al.). All rejections are respectfully traversed. The Official Action states that the parent patent claims lack a feature and therefore relies upon Cortjens, et al. However, amended independent Claim 58 now recites that in response to inputting designations not including a predetermined plurality of commands for the same operation, which when inputted are grouped and at least one but not all of which are used to control a video camera, the control unit controls the video camera in accordance with each of the designations. Applicant respectfully submits neither Claims 1, 2, and 5 through 16 of parent U.S. Patent No. 6,611,285 B1, nor the patent to Cortjens, et al. discloses or suggests this feature. In addition, Applicant respectfully submits that there has been no showing of any indication of motivation that would lead one having ordinary skill in the art to

combine these two pieces of art to produce a control unit that controls a video camera in accordance with each of inputted designations that do not include a predetermined plurality of commands for the same operation, which when inputted are grouped and at least one but not all of which are used to control a video camera, as recited by amended Claim 58. For this reason, the Office has not yet established a prima facie case of obviousness-type double patenting against amended Claim 58 over this art. Therefore, Applicant respectfully requests that the rejection of Claim 58 over this art be withdrawn. And because corresponding method and medium Claims 63 and 68 have been amended in a similar manner, they are submitted to also be allowable for similar reasons. Therefore, Applicant respectfully requests that the rejection of independent Claims 63 and 68 over this art be withdrawn.

Claims 58 through 73, 78, and 83 again were variously rejected under 35 U.S.C. §§ 102 and 103 over Cortjens, et al., taken alone or in combination with previously-cited U.S. Patent No. 6,313,875 B1 (Suga, et al.). These rejections are respectfully traversed for the following reasons.

Claims 58, 63, and 68 recite, *inter alia*, that in response to inputting designations including a predetermined plurality of commands for a same operation, grouping the designations and controlling the video camera in accordance with at least one but not all of the predetermined plurality of commands are performed, and in response to inputting designations not including a predetermined plurality of commands for the same operation, controlling the video camera in accordance with each of the designations is performed.

However, Applicant respectfully submits that neither Cortjens, et al. nor Suga, et al. is understood to disclose the concept of a controlling a video camera in accordance with each of inputted designations that do not include a predetermined plurality of commands for the same

operation, which when inputted are grouped and at least one but not all of which are used to control a video camera, as recited by amended Claims 58, 63, and 68. Applicant further respectfully submits that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed feature. For this reason, the Office has not yet established anticipation of or a prima facie case of obviousness against amended Claims 58, 63, and 68 over this art. Therefore, Applicant respectfully requests that the rejection of Claims 58, 63, and 68 over this art be withdrawn.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Accordingly, Applicant submits that this application is in condition for allowance, and the issuance of a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Gary M. Jacobs/

Gary M. Jacobs
Attorney for Applicant
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

GMJ/DSG/jjr

FCBS_WS 2350397v1